

**DOCKET FOR REGULAR COUNCIL MEETING OF
TUESDAY, MAY 1, 2001 AT 10:00 A.M.
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ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

COMMITTEE ON NATURAL RESOURCES, AND CULTURE, RESOLUTIONS:

- ITEM-150: Two actions related to Black Mountain Road Pipelines Project (formerly Rancho Bernardo Pipeline #2 and Black Mountain Ranch Reclaimed Water Pipeline). [13](#)

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

- ITEM-330: Fairbanks Summit. [15](#)
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**DOCKET FOR REGULAR COUNCIL MEETING OF
TUESDAY, MAY 1, 2001 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS - 12TH FLOOR
202 "C" STREET
SAN DIEGO, CA 92101**

NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. - 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO REDEVELOPMENT AGENCY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Redevelopment Agency Secretary at 236-6233.

A Special Joint Meeting of the **CITY COUNCIL/REDEVELOPMENT AGENCY** has also been scheduled to meet today. A special docket will be issued for this meeting.

ITEM-1: ROLL CALL.

SPECIAL ORDER OF BUSINESS

ITEM-30: Presentation of the Fiscal Year 2002 Proposed Budget by the City Manager.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject**, regardless of the number of those wishing to speak. Submit requests to speak to the Mayor or the City Clerk **prior** to the start of meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Non-Agenda Public Comment."

COUNCIL COMMENT

REQUESTS FOR CONTINUANCE

The Council will now consider requests to continue those items scheduled to be heard at this morning's session. Requests to continue items scheduled to be heard at 2:00 p.m. will be taken at the beginning of the afternoon session.

ADOPTION AGENDA, CONSENT ITEMS

The following listed items are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (*).

In addition, other items thought to be routine or non-controversial and without any "Request to Speak" slips in opposition may be taken as part of the Consent Agenda.

RESOLUTIONS TO BE ADOPTED:

Items 100, 101, 102, 103, 104, 105, 106, 107, 108, and 109.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-100: City Heights Redevelopment Project Area Committee Formation Procedures.

(See City Manager Report CMR-01-076. Mid-City, City Heights, Normal Heights, and Kensington-Talmadge Community Areas. Districts-3, 4, and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1411)

Approving proposed amendments to the Formation Procedures for the City Heights Project Area Committee.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-101: Barrio Logan Redevelopment Project - Ratify Project Area Committee Election.

(See City Manager Report CMR-01-077. Barrio Logan/Harbor 101 Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1339)

Ratifying the election results of March 21, 2001, for the Project Area Committee for the Barrio Logan Redevelopment Project Area; and authorizing extension of the Project Area Committee for one year.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-102: Solid Waste Local Enforcement Agency (LEA) Application for the Local Enforcement Agency Grant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1383)

Authorizing application for and acceptance of Grant funds from the California Integrated Waste Management Board, and authorizing the City Manager to negotiate and execute all necessary documents in connection with the Grant.

CITY MANAGER SUPPORTING INFORMATION:

The California Integrated Waste Management Board (CIWMB) is accepting applications for their Local Enforcement Agency (LEA) Grant program. Funds totaling \$1.5 million are to be disbursed from the CIWMB to certified LEAs. Pursuant to Public Resources Code Section 43230, these grant awards are to be used solely for support of LEAs' Solid Waste Facilities Permit and Inspection Programs. The City of San Diego Solid Waste LEA was certified in August 1999, by the CIWMB, to carry out the duties and responsibilities associated with permitting, inspections, and enforcement at solid waste sites.

The City of San Diego Solid Waste LEA proposes to request grant funds to retain consulting

services, purchase computer and technical equipment, and fund additional training for LEA staff to carry out their regulatory mandates. The City of San Diego Solid Waste LEA is eligible for approximately \$30,000 during this grant cycle.

FISCAL IMPACT:

If awarded, the City would receive approximately \$30,000.

Loveland/Haase/PM

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-103: Grant Application for Peñasquitos Creek Restoration.

(Rancho Peñasquitos and Los Peñasquitos Canyon Preserve Community Areas.
Districts-1 and 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1405)

Authorizing the application for and expenditure of State Grant Funds for the
Restoration of Peñasquitos Creek.

CITY MANAGER SUPPORTING INFORMATION:

The State of California Department of Water Resources manages the Urban Streams Restoration Program which provides grants for local projects that reduce flooding and erosion on urban streams while improving environmental values. Selected grant projects must contribute to the reduction of property damage from floods or bank failure. This action authorizes the City Manager to submit a grant request to the State of California Department of Water Resources for Peñasquitos Creek Restoration. This application is cosponsored by the Friends of Los Peñasquitos Canyon Preserve. The goal of this project is to reduce flooding of the Trans-County Trail and Canyonside Community Park. The Trans-County Trail is subject to regular flooding and Canyonside Community Park is at risk of winter flooding.

During a recent major flood on February 20, 2001, water entered the recreation center and covered many of the athletic fields with silt and river rock. To prevent or reduce future flooding, the grant application proposes a drainage engineering study and the removal of sediment from the creek and connecting drainage ditches. Once sediment is removed, water will be more likely to flow down the center channel rather than flooding over the banks.

FISCAL IMPACT:

The total cost of this project will be \$296,000. If the grant is secured, the city will receive \$266,000 from the Department of Water Resources and contribute \$30,000 from the Park and Recreation Grant Match Funding approved as part of the Fiscal Year 2000/2001 Appropriation Ordinance, Ordinance No. O-18827, adopted on July 25, 2000. In addition to the CIP costs, the project will also receive a contribution of \$2,966 in volunteer labor.

Loveland/McLatchy/HL

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

* ITEM-104: South Mission Valley Trunk Sewer - Amending the Capital Improvement Budget.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1347)

Authorizing the City Auditor and Comptroller to amend the Capital Improvement Budget by adding CIP-40-931.0, South Mission Valley Trunk Sewer;

Authorizing the transfer of \$118,000 for FY 2001 from Sewer Fund 41506, CIP-40-910.2, Chollas Valley Trunk Sewer - Phase 2, to Sewer Fund 41506, CIP-40-931.0, South Mission Valley Trunk Sewer;

Authorizing the expenditure of \$118,000 from Sewer Fund 41506, CIP-40-931.0, South Mission Valley Trunk Sewer, for engineering and design services.

CITY MANAGER SUPPORTING INFORMATION:

The South Mission Valley Trunk Sewer is located in the Mission Valley Community between Morena Boulevard and Fairmount Avenue. The purpose of this project is to replace approximately 29,300 linear feet of existing trunk sewer. This project will continue to provide the community with a safe and reliable infrastructure while having the least detrimental effect on the environment.

FISCAL IMPACT:

The total estimated cost of this project is \$10,400,000. This request is for engineering and consultant design services. After the transfer of \$118,000 for FY 2001 from Sewer Fund 41506, CIP-40-910.2, Chollas Valley Trunk Sewer - Phase 2, to Sewer Fund 41506, CIP-40-931.0, South Mission Valley Trunk Sewer, funding of \$118,000 will be available in Sewer Fund 41506, CIP-40-931.0, South Mission Valley Trunk Sewer for this purpose. This transfer will not affect the execution of Chollas Valley Trunk Sewer - Phase 2 which is moving forward as scheduled. This project will be phase-funded.

Loveland/Belock/HR

Aud. Cert. 2101044.

WWF-01-513.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-105: 19th Street (Imperial Avenue to G Street) Ornamental Street Lighting.

(Sherman Heights Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1352)

Authorizing the City Auditor and Comptroller to amend the Capital Improvement Budget by adding CIP-52-704.0, 19th Street (Imperial Avenue to G Street) Ornamental Lighting;

Authorizing the City Auditor and Comptroller to appropriate and expend \$125,000 of Community Development Block Grant Funds (Fund No. 18536) for design and construction of the 19th Street (Imperial Avenue to G Street) Ornamental Street Lighting, CIP-52-704.0;

Authorizing the City Auditor and Comptroller to transfer excess funds, if any, to the appropriate reserves upon advice from the administering department.

CITY MANAGER SUPPORTING INFORMATION:

This project will install ornamental "acorn" style lighting on 19th Street within the Sherman Heights Historic District. In addition, the intersection street lighting will be brought up to current standards. The ornamental lighting will match that previously installed along G Street from 19th Street to 25th Street; on Market Street from 19th Street to 25th Street; and on 25th Street from G Street to Commercial Street. Because this project falls within the Sherman Heights District, the operating costs of the street lights will be borne by the City.

FISCAL IMPACT:

The total cost of this project is \$125,000, which is available under the Community Development Block Grant Program. The ongoing energy costs (estimated at \$1,000 per year) and maintenance costs (estimated at \$400 per year after the first two years) will be assumed by the City.

Loveland/Belock/PB

Aud. Cert. 2101042.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-106: Five actions related to Authorizing Suggestion Awards to City Employees.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-1390)

Robert Abrahamsen - MWWD - \$501.27

Subitem-B: (R-2001-1391)

William Bartleman - Environmental Services - \$50

Bill Shannon - MWWD - \$254.38

Subitem-C: (R-2001-1392)

Lewis Dennis - Transportation/Parking Management - \$320

James Williams - Information Technology and Communication - \$387.92

Subitem-D: (R-2001-1393)

Ralph Dugdale - MWWD - \$5,000

Subitem-E: (R-2001-1394)

George Head - Police Department - \$2,700

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-107: Two Leases with Federal Aviation Administration (FAA) at Montgomery Field.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1382)

Authorizing the City Manager to execute two lease agreements with the FAA, which will allow the FAA to continue maintaining and operating navigational equipment that is an integral part of the Instrument Landing System which aids pilots when landing at Montgomery Field Airport. The two leases specially cover the following:

Lease of premises known as Visual Approach Slope Indicator - Runway 28R, allowing ingress and egress from the premises to maintain the premises, lines and equipment on the premises;

Lease of premises known as Visual Approach Slope Indicator - Runway 10L, allowing ingress and egress from premises to maintain the premises, lines and equipment on the premises.

CITY MANAGER SUPPORTING INFORMATION:

These two leases will replace the existing leases the City has with the United States of America (FAA) that expire on September 30, 2001.

The leases authorize FAA to operate and maintain its visual approach slope indicators (VASI) as part of its navigational equipment located on a portion of City-owned Montgomery Field Airport (MYF). VASI's provides a visual aid for pilots landing at the Airport.

DISCUSSION: Approval of the two leases will allow FAA to continue maintaining and operating its VASI navigational equipment at MYF. These are nonrevenue, one-year leases, commencing on October 2001 with annual renewals, at FAA's option, for a maximum term not to exceed September 30, 2021.

- (1) **VASI RUNWAY 28:** At Montgomery Field Airport.
- (2) **VASI, RUNWAY 10L:** At Montgomery Field Airport.

These two leases authorize FAA to ingress and egress the leased premises to maintain its VASI equipment.

FISCAL IMPACT:

These are nonrevenue producing leases. FAA's consideration to the City is FAA's cost of maintaining the premise and VASI equipment, which is estimated to exceed the nominal rental value of the leased premise.

Herring/Griffith/DLD

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

- * ITEM-108: Lease Approval - Pacific Bell Telephone Company at Mount Woodson.

(Ramona Community Area.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1295)

Authorizing the City Manager to execute a lease agreement with Pacific Bell Telephone Company, for a telecommunications facility on Mount Woodson, at an initial annual rent of \$20,400.

CITY MANAGER SUPPORTING INFORMATION:

Pacific Bell has maintained a communications facility on Mount Woodson since January 1972. It consists of a 25' x 30' equipment building and adjacent microwave antenna tower. Pacific Bell Telephone requires continued use of Mount Woodson to provide telephone service to the local community. The existing lease is currently on holdover status. Pacific Bell Telephone has proved to be a reliable tenant during their tenure at this site. Basic terms of the agreement are as follows:

USE - To install, construct, maintain, repair, and operate its Communications Center.

TERM - Five (5) years, with two additional 5-year options.

GROUND RENT - Rent is \$20,400 annually (\$1,700 per month) with annual 5% rent increases and reappraisal at year five.

This value is consistent with a recent outside independent fee appraisal dated August 2000.

FISCAL IMPACT:

The City will receive \$20,400 in the first year of the lease with 5% annual rent increases thereafter. Rental Proceeds generated will be credited to the City General Fund.

Herring/Griffith/JPA

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

- * ITEM-109: Reappointment of Robert P. Ito and Harold G. Sadler to the CCDC Board of Directors for the Full Terms that will end on or about May 1, 2004.

(See memorandum from Mayor Murphy dated 4/18/2001.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1421)

Nominating for re-election to the Centre City Development Corporation Board of Directors:

NOMINEE

Robert P. Ito (General Business)
Harold G. Sadler (Architect)

NOMINATED BY

Mayor Dick Murphy
Mayor Dick Murphy

Re-electing Robert P. Ito and Harold G. Sadler for terms ending May 1, 2004.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

COMMITTEE ON NATURAL RESOURCES, AND CULTURE, RESOLUTIONS:

ITEM-150: Two actions related to Black Mountain Road Pipelines Project (formerly Rancho Bernardo Pipeline #2 and Black Mountain Ranch Reclaimed Water Pipeline).

(See memorandum from Larry Gardner dated 4/2/2001. Mira Mesa and Penasquitos East Community Areas. Districts-1 and 5)

CITY MANAGER'S RECOMMENDATION:

Adoption of the following resolutions:

Subitem-A: (R-2001-1386 Cor. Copy)

Authorizing the City Manager to execute a phase funded agreement for an amount not to exceed \$25,184,184 with Archer Western Contractors Ltd. to provide design/build services for the design and construction of the Black Mountain Road Pipelines;

Authorizing the City Manager to establish contract funding phases for this agreement;

Authorizing the City Auditor and Comptroller to transfer \$345,453 from Water Fund 41500, CIP-70-954.0, Black Mountain Ranch Reclaimed Water Pipeline, to Water Fund 41500, CIP-73-341.0, Rancho Bernardo Pipeline No. 2;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$19,340,825 from Water Fund 41500, CIP-73-341.0, Rancho Bernardo Pipeline No. 2, and to expend an amount not to exceed \$11,132,064 from Water Fund 41500, CIP-73-954.0, Black Mountain Ranch Reclaimed Water Pipeline, for the design and construction of the Black Mountain Road Pipelines, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$629,604 from Water Fund 41500, CIP-73-331.0, Annual Allocation Pooled Contingency;

Authorizing the City Forces to isolate, make connections, and perform operational checks for a cost of \$432,000 in CIP-73-341.0, Rancho Bernardo Pipeline No. 2, and \$200,000 in CIP-70-954.0, Black Mountain Ranch Reclaimed Water Pipeline (between Carroll Canyon Road and Twin Trails Road);

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

Subitem-B: (R-2001-1387)

Certifying that the information contained in Mitigated Negative Declaration LDR-40-0901 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency, and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council;

Stating for the record that the final Mitigated Negative Declaration has been reviewed and considered prior to approving the project;

Adopting the Mitigation Monitoring and Reporting Program.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 4/2/2001, NR&C voted 3 to 1 to approve the City Manager's recommendation with the following direction: a) Give emphasis to a thorough public education program prior to and during construction to include direct mailing to residents in affected communities and send information to community newspapers and b) change the name of the project to accurately reflect location within Rancho Penasquitos. (Councilmembers Peters, Wear and Madaffer voted yea. Councilmember Inzunza voted nay.)

CITY MANAGER SUPPORTING INFORMATION:

The Black Mountain Road Pipelines consist of a potable (drinking) water pipeline (RBPL#2) and a reclaimed water pipeline (BMRRWP). RBPL#2 will be designed and built as a primary transmission facility, paralleling the existing Rancho Bernardo Pipeline No. 1, to convey additional locally treated potable water from the Miramar Water Treatment Plant to the northern region of the City, mainly the communities of Rancho Bernardo, Rancho Penasquitos and Del Mar to meet the current and the future demands. The main alignment of RBPL#2 will consist of approximately 31,500 linear feet of 42- and 48-inch pipe along Scripps Ranch Blvd., Mira Mesa Blvd., Westview Pkwy., Black Mountain Rd., Twin Trails Dr. and Carmel Mountain Rd. BMRRWP will convey reclaimed water treated at the North City Water Reclamation Plant to the northern portions of the City mainly to supply Black Mountain Ranch, North Region golf courses and parks and ultimately connecting to

Olivenhain Municipal Water District. BMRRWP will consist of approximately 20,560 linear feet of 36-inch and 24-inch pipe along Black Mountain Rd., Mira Mesa Blvd., and Westview Pkwy. To expedite this project and implement it cost effectively with minimal impact to the community, a Design/Build delivery method was adopted wherein both pipelines are to be designed and constructed concurrently mostly within the same alignment. The Design/Build delivery method will utilize a qualified and experienced team of both a designer and constructor working together in partnership to ensure this pipeline project is delivered in a manner that meets all the City's requirements. The Design/Build team selection process incorporated a group of professionals from various City Departments and another Water District in identifying and selecting a Design/Build Team that provided the best value, considering both design and construction qualifications and cost in executing this project. A Request For Qualifications package was issued on June 23, 2000 to interested Design/Build teams; three teams out of nine were short listed and were issued a Request for Proposal for the project on December 22, 2000. The three teams were interviewed on January 16, 2001 and Archer Western Construction/ Winzler & Kelly team was selected as the Design/Build team for this project on February 2, 2001. A Mitigated Negative Declaration (MND) has been prepared in accordance with California Environmental Quality Act Guidelines.

The MND contains a Mitigation Monitoring and Reporting Program (MMRP) with conditions to mitigate impacts related to geology/soils, hydrology/water quality, historical, biological and paleontological resources, noise, traffic and air quality. As a result of the project's encroachment into Environmentally Sensitive Lands, a Site Development Permit (SDP) and Resolution have also been prepared in accordance with the City of San Diego Land Development Code. The MMRP has been incorporated into a SDP No. LDR 40-0901. The SDP will be considered at a separate Hearing Officer hearing.

FISCAL IMPACT:

Total cost for the Water Pipeline No.2 is \$21,652,752 of which \$1,912,885 was previously authorized. Total cost for the Reclaimed Water Pipeline (between Carroll Canyon and Twin Trails) is \$11,532,547 of which \$169,921 was previously authorized. In addition \$629,604 will be authorized for these projects from the Annual Allocation for Pooled Contingency.

Loveland/Gardner/OK

Aud. Cert. 2101095.

ADOPTION AGENDA, HEARINGS **NOTICED HEARINGS:**

ITEM-330: Fairbanks Summit.

Matter of approving, conditionally approving, modifying or denying a rezone from A-1-10 to RS-1-11 to develop and subdivide a 20.72-acre parcel into 37 lots for 35-single family units, one amenity open space lot, and one lot for seven affordable multi-family units located along the southwest boundary of Black Mountain Ranch, west of the South Village within Black Mountain Ranch, east of Fairbanks Ranch, and west of the future extension of Camino Ruiz.

(RZ/TM/PRD/RPO-99-1364. Black Mountain Ranch Subarea I. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution in subitem A; adopt the resolution in subitem B to grant the permit; adopt the resolution in subitem C to grant the map; and introduce the ordinance in subitem D:

Subitem-A: (R-2001-1404)

Adoption of a Resolution certifying that Addendum to an Environmental Impact Report (EIR), LDR No. 99-1364, Addendum to EIR No. 96-7902, SCH No. 97111070, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the report reflects the independent judgement of The City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the land use actions for the Fairbanks Summit project;

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment.

Subitem-B: (R-2001-)

Adoption of a Resolution granting or denying RPO/PRD Permit No. 99-1364.

Subitem-C: (R-2001-)

Adoption of a Resolution granting or denying Tentative Map No. 99-1364.

Subitem-D: (O-2001-135)

Introduction of an Ordinance changing a 20.72-acre site located along the southwest boundary of Black Mountain Ranch, west of the South Village within Black Mountain Ranch, east of Fairbanks Ranch, and west of the future extension of Camino Ruiz, in the Black Mountain Ranch Subarea I Planning area, from the AR-1-1 Zone (previously referred to as the A-1-10 Zone) to the RS-1-11 Zone (previously referred to as the R-1-10,000 Zone), as defined by San Diego Municipal Code Section 131.0403 (RS Zones - Single Family Residential); and repealing Ordinance No. 8858 (New Series), adopted August 9, 1963, of the Ordinances of the City of San Diego insofar as the same conflicts herewith.

OTHER RECOMMENDATIONS:

Planning Commission voted 4-0 to approve; no opposition.

Ayes: Steele, Anderson, Brown, Butler

Not present: Stryker, Skorepa, Garcia

There is no officially recognized community planning group for this area.

The Planning Commission is the designated planning body for Black Mountain Ranch.

SUPPORTING INFORMATION:

The Fairbanks Summit project site is a 20.72-acre, undeveloped parcel. The proposal is to subdivide and construct 35-single-family residences and 7 multi-family (affordable housing) units, for a total of 42 residential units. In addition to the residential units, the project will include a gated entry, a system of private driveways, and a 4.56-acre homeowners' association maintained open space lot with a par course and running trails. The gated entrance and private driveways are consistent with the City of San Diego's Street Design Manual and Council Policy for gated entrances. Access to the Fairbanks Summit project site would be provided from Camino de la Luna located to the east and within Unit 11 of the Black Mountain VTM/PRD. A non-contiguous sidewalk system with an entrance for pedestrian and bicycle access is included to allow pedestrian circulation through the neighborhood. One hundred and forty parking spaces would be provided on-site for the proposed development.

The following actions are recommended:

1. Certify that the information contained in LDR File No. 99-1364 has been completed in compliance with the California Environmental Quality Act and State CEQA Guidelines, and that said Addendum No. 99-1364 to EIR 96-7902 reflects the independent judgement of the City of San Diego as Lead Agency. Stating for the record that the final Addendum No. 99-1364 to EIR 96-7902 has been reviewed and considered prior to approving the project. Adopt the Mitigation, Monitoring and Reporting Program.
2. Approve the Rezone from A-1-10 to RS-1-11.
3. Approve Tentative Map No. 99-1364.
4. Approve Resource Protection Ordinance/Planned Residential Development Permit No. 99-1364.

Development Services Department Recommendation - Staff recommends approval of items 1-4.

Planning Commission Recommendation - On March 1, 2001, the Planning Commission voted 4 to 0 in support of the project. The item was approved on the consent agenda.

Community Planning Group Recommendation - The Planning Commission is the designated planning body for Black Mountain Ranch. As a matter of courtesy the City distributes the project application to adjacent communities and invites comments and recommendations from the community planning groups. The Rancho Penasquitos Community Planning Board on February 7, 2001, voted 16-0-0 in support of the proposal.

Project Traffic Information - Based upon the project traffic information table this project is estimated to generate approximately 392 average daily trips (ADT), 180 of these trips are estimated to occur on Interstate 5, which has an estimated near-term volume of 254,377 ADT's. Caltrans is planning on widening Interstate 5 to provide 10 additional lanes south of State Route 56. The proposed Black Mountain Ranch is required to contribute \$8 million for the widening of State Route 56 from four lanes to six lanes and \$6.1 million for the widening of Interstate 15 by an additional four lanes.

FISCAL IMPACT: None.

Loveland/Hasse/PG

LEGAL DESCRIPTION:

The Fairbanks Summit project site is located along the southwest boundary of Black Mountain Ranch, west of the South Village within Black Mountain Ranch, east of Fairbanks Ranch, and west of the future extension of Camino Ruiz within the Black Mountain Ranch Subarea I Planning area and is more particularly described as Parcel 3 of Parcel Map No. 7242.

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

ITEM-331: Affordable Housing Density Bonus Ordinance.

Matter of acceptance by the City Council of modifications to the Affordable Housing Density Bonus regulations required by the California Coastal Commission and introduction of an ordinance to implement the required modifications.

(Districts-City-wide.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions in subitems A and B; and introduce the ordinance in subitem C:

Subitem-A: (R-2001-1305)

Adoption of a Resolution certifying that the Council of the City of San Diego accepts the suggested modifications, as certified by the California Coastal Commission, of the City of San Diego's Local Coastal Program Amendment No. 3-2000 regarding the City's Affordable Housing Density Bonus program;

Adopting the following LCP Amendment to incorporate the suggested modifications recommended by the California Coastal Commission and approved pursuant to Ordinance No. O-2001-132;

Authorizing the City Manager to transmit this City of San Diego LCP Amendment to the California Coastal Commission for effective certification, pursuant to Public

Resources Code section 30513, upon confirmation by its executive director.

Subitem-B: (R-2001-1306)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration LDR-98-1218, including any comments received during the public review process, has been reviewed and considered by this Council and it is determined that no substantial changes or new information of substantial importance within the meaning of CEQA Guideline section 15162 would warrant any additional environmental review in connection with approval of the document;

Directing the City Clerk to file a Notice of Determination for Negative Declaration LDR-98-1218.

Subitem-C: (O-2001-132)

Introduction of an Ordinance amending the San Diego Municipal Code by amending Chapter 12, Article 6, Division 5, of the Land Development Code by amending sections 126.0502 and 126.0504; and amending Chapter 14, Article 3, Division 7, by amending Sections 143.0740 and 143.0750, all relating to Density Bonus Regulations.

OTHER RECOMMENDATIONS:

Planning Commission on March 25, 1999, voted 7-0 to recommend that the City Council approve the staff recommendation to adopt the recommended changes to the Affordable Housing Density Bonus Program with the deletion of a reference regarding requested deviations from development regulations -- that such deviations would not violate other applicable sections of the Land Development Code; no opposition.

Ayes: Steele, Anderson, Butler, Skorepa, Stryker, Watson, White

This is a matter of City-wide effect. The Community Planners Committee (CPC) received an informational report on this item on February 23, 1999. A formal recommendation was not made.

SUPPORTING INFORMATION:

Background

The City was required to amend its Density Bonus regulations to comply with a 1990 change in state law intended to facilitate its use. The revised regulations have been in effect in the City since June 1999 outside the Coastal Zone. However, the regulations within the Coastal Zone must be approved by the California Coastal Commission to become part of the City's certified Local Coastal Program Implementation Ordinances.

On November 13, 2000, the Coastal Commission approved the ordinance with modifications proposed by Coastal Commission staff which were opposed by City staff. The ordinance, as amended by the Coastal Commission, would allow for modifications to applicable development

regulations as an incentive for affordable housing. There is no limit on the number of such modifications which may be incorporated into a project except when all such incentives have an adverse effect on coastal resources. In those instances, **only the one incentive that is most protective of coastal resources may be granted.** This change is more restrictive than state law and would cause the City's regulations in the Coastal Zone to be more restrictive than outside the Coastal Zone.

FISCAL IMPACT:

The modifications made by the Coastal Commission will likely result in increased competition by Density Bonus projects with other housing projects for already insufficient affordable housing funds.

Ewell/Goldberg/MZP

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

ITEM-332: The Allen Group Headquarters.

Matter of approving, conditionally approving, modifying or denying actions necessary to develop a 35,610 square-foot, 2-story office building over a 20,380 square-foot underground parking garage on a 1.1 acre lot on the southeast corner of El Camino Real and Valley Centre Drive within the boundaries of the Carmel Valley Community Plan area.

(SDP & CDP-40-0180. Carmel Valley Community Plan area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions in subitems A and B; adopt the resolution in subitem D to grant the permit; and introduce the ordinance in subitem C:

Subitem-A: (R-2001-1388)

Adoption of a Resolution certifying that Negative Declaration, LDR No. 40-0180, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgement of The City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the land use actions for The Allen Group Headquarters project;

That the Council finds, based upon the Initial study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment and therefore the Negative Declaration is hereby approved.

Subitem-B: (R-2001-1389)

Adoption of a Resolution approving the Amendments to the Carmel Valley Neighborhoods 4, 5 and 6 Precise Plan; the Carmel Valley Community Plan; and the Progress Guide and General Plan;

That this resolution shall not become effective within the area of the City within the jurisdiction of the California Coastal Commission until such time as the Commission unconditionally certifies these actions as Local Coastal Program amendments.

Subitem-C: (O-2001-136)

Introduction of an Ordinance changing approximately 1.1 acres located on the southeast corner of El Camino Real and Valley Centre Drive, within the Carmel Valley Community Plan area, from the VC (Visitor Commercial) Zone into the SC (Specialized Commercial) Zone, as defined by San Diego Municipal Code Section 103.0610; and Repealing Ordinance No. O-17050 (New Series), adopted April 4, 1988, of the Ordinances of the City of San Diego insofar as the same conflicts herewith.

Subitem-D: (R-2001-)

Adoption of a Resolution approving a Site Development and Coastal Development Permit No. 40-0180.

OTHER RECOMMENDATIONS:

Planning Commission voted 5-0 to approve; no opposition.

Ayes: Steele, Anderson, Brown, Butler, Skorepa

Not present: Stryker

The Carmel Valley Community Planning Group has recommended approval of this project with recommendation that green reflective glass be changed to subdued and non-reflective hue. Voted 13-0-0 on 1-14-01.

SUPPORTING INFORMATION:

This project proposes to develop an improved site with a 2-story, 35,610 sq. ft. office building over one level of underground parking on a 1.1 acre site previously approved for a restaurant located in the Carmel Valley Community Plan area. The site is on the southeast corner of El Camino Real and Valley Centre Drive in the VC (proposed SC) zone. A Site Development and Coastal Development Permit is required for the site specific review and approval with Amendments to the Progress Guide and General Plan, Carmel Valley Community Plan, Carmel Valley Planned District Ordinance rezoning from VC (Visitor Commercial) to SC (Specialized Commercial), the Neighborhoods 4, 5 & 6 Precise Plan and the North City Local Coastal Program necessary to effectuate the land use designation required.

The Planning Commission considered this project on March 22, 2001, and voted 5-0 to recommend that the City Council adopt City staff recommendations to approve the project, as presented in the Planning Commission Report No. P-01-055. There was no public opposition to the project.

The Carmel Valley Community Planning Board voted 13-0-0 on January 14, 2001 to recommend approval of the project with a non-reflective and more subdued tone to window glass which the applicant has agreed to.

The City Manager recommends that the City Council adopt the Carmel Valley Planned District Ordinance Amendment rezoning the site, adopt the Resolution approving the Amendments of the Progress Guide and General Plan, the Carmel Valley Community Plan, the Neighborhoods 4, 5 & 6 Precise Plan and the North City Local Coastal Program, and approve Site Development and Coastal Development Permit No. 40-0180. The City Council must first certify the Negative Declaration, LDR No. 40-0180.

FISCAL IMPACT: None.

Loveland/Christiansen/RMK

LEGAL DESCRIPTION:

The project is located at the southeast corner of El Camino Real and Valley Centre Drive within the Coastal Zone and the Carmel Valley Community Planning area and is more particularly described as Parcel 2 of Parcel Map No. 15957.

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

ITEM-333: The Gray Residence.

Matter of an appeal by AT&T Wireless Services, from the decision of the Planning Commission in denying an application for a wireless communication facility consisting of six pole mounted panel antennas and associated electronic equipment on a .22 acre site located at 13003 Avenida Grande in the Rancho Penasquitos Community Planning Area.

(CUP-99-0464-54. Rancho Penasquitos Community Plan Area. District-1.)

(Continued from the meeting of 4/03/2001, Item 330, at the City Attorney's request, to make further findings regarding the CUP.)

NOTE: Hearing Open. Public testimony was taken on 4/03/2001.

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution in Subitem A to grant the appeal and grant the permit; and adopt the resolution in Subitem B:

Subitem-A: (R-2001-)

Adoption of a resolution granting or denying the appeal and granting or denying the Conditional Use Permit No. 99-0464-54, with appropriate findings to support Council action.

Subitem-B: (R-2001-)

Adoption of a resolution certifying that the information contained in Environmental Negative Declaration (END) LDR No. 99-0464-54 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State Guidelines thereto (California Administrative Code Section 15000 et seq.), and that said END reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in said report has been reviewed and considered by the Council pursuant to California Public Resources Code Section 21081;

and that based upon the Initial Study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment.

OTHER RECOMMENDATIONS:

Planning Commission on February 1, 2001, voted 6 - 0 to deny the project and approve the written CUP findings provided at this hearing with a revision to findings C and D to substitute the words “commercially zoned” with “non-residential zones,” and approve certification of the negative declaration; no opposition.

Ayes: Steele, Anderson, Brown, Butler, Stryker, Garcia
Not present: Skorepa

The Rancho Penasquitos Planning Board on January 3, 2001, voted 13-0-0, to recommend denial of this project.

SUPPORTING INFORMATION:

The project purposes to install and operate a wireless telecommunication facility on a 0.22 acre site located at 13003 Avenida Grande. The Rancho Penasquitos Community Plan designates the site for low density residential land use. The property is zoned RS-1-7 (formally R-1-5,000). The property is developed with a single-family residence and surrounded by similar single-family development to the north, east and west. The site is adjacent to Open Space to the south and overlooks State Route 15 to the southeast. The rear portion of the site is identified on City Zoning Maps as containing steep hillsides (formerly Hillside Review Overlay), however, analysis of the site has determined that the slopes are manmade and are comprised of fill material created with the grading and development of the subdivision. These slopes contain no sensitive environmental resources.

The project proposes six, pole-mounted directional panel antennas on four sixteen foot high poles and an accessory equipment area. The original project submittal proposed a thirty foot tall mono-

palm design. Subsequent design variations included discussions with area neighbors and city staff of a mono-”pine” and a faux-chimney. All of these design alternatives, including the recent proposal, have been met with opposition from the surrounding neighborhood.

The proposed facility would consist of four sixteen foot high poles with either one or two antennas attached at the top (the sixteen feet includes the antennas). Each of the four poles is approximately 12-inches in diameter. The six panel antennas have an approximate dimension of 16-inches wide by 60-inches tall by 4-inches deep. The facility includes an equipment area that is proposed to be located on the slope adjacent to the antennas. The equipment area consists of a 220 square-foot concrete pad surrounded by a block wall and a wood fence. The equipment enclosure would contain the associated electronic cabinets and power supply for the facility.

FISCAL IMPACT: None.

All costs associated with the processing of this application are paid for by the applicant.

Loveland/Christiansen/JPH

LEGAL DESCRIPTION:

The project site is located at 13003 Avenida Grande in the Rancho Penasquitos Community and is more particularly described as Lot 29, Penasquitos View Unit 1, of Map No. 6654.

NOTE: Negative Declaration No. 99-0464-54 has been prepared for this project in accordance with Article 19, Section 15302 of the California Environmental Quality Act (CEQA) and concluded that implementation of the facility would not result in any adverse impacts upon the surrounding environment. No mitigation measures will be required.

ITEMS PULLED FROM CONSENT AGENDA

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT



THE CITY OF SAN DIEGO **MANAGER'S REPORT**

DATE ISSUED: April 25, 2001

REPORT NO. 01-077

ATTENTION: Honorable Mayor and City Council
Docket of May 1, 2001

SUBJECT: Annual election of Barrio Logan Project Area Committee (PAC)
Members.

SUMMARY:

Issue - Should the City Council ratify the results of the Barrio Logan PAC
Election of March 21, 2001.

Manager's Recommendation - Ratify the PAC Election Results.

Fiscal Impact- None. Administration of the PAC is funded through the
Redevelopment Agency annual Project Budget.

Environmental Impact- None with this action.

BACKGROUND:

Formation of the Fifteen (15) member Barrio Logan PAC was authorized by the City Council on October 1989 to advise the Council and Redevelopment Project. The City council has previously ratified the PAC election results (in 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000) in accordance with the Barrio Logan PAC Formation Procedures.

DISCUSSION:

The PAC annual election was held on March 21, 2001, to fill four seats whose terms have expired. As a result of the election, four members were re-elected. The names and categories represented by the four elected members nominated for ratification by the City Council are as follows:

Residential Tenant: Sandra Diaz

Business Owner: Glenna Schmidt
Business Owner: Brad Bittner
Business Owner: Walter Barrett

CONCLUSION

In accordance with the Council's procedures regarding the formation of the Barrio Logan Redevelopment PAC, City Council ratification of the Annual election results is required.

ALTERNATIVE

Do not ratify PAC elections. This is not recommended as pending project activities would not benefit from PAC advise.

Respectfully submitted,

Approved: Hank Cunningham
Community and Economic Department
Director

Todd Hooks
Redevelopment Deputy Director

CUNNINGHAM/HUESO: 236-6234

Attachments:

A. City Clerk's Verification